



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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November 23, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

USDI - BUR OF LAND MGT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

RE: Application for Transfer No. 75352

Dear Protestants:

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application.

The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

1. Will other water rights be injured by the proposed transfer?
2. Will the proposed change constitute an enlargement in the use of the original right(s)?
3. Will the proposed change conflict with the local public interest in the public water resource?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?
5. For transfer applications proposing to divert water from one watershed or local area into another, will the proposed change adversely affect the local economy of the watershed or local area where the source of water originates?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

Allen Merritt
Regional Manager

cc: BROCKWAY ENGINEERING